



NEWSLINE

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TAC Special Audit

In March 2001, two licensed Tennessee Auctioneers met with the State Comptroller's Office and voiced their opinions concerning matters regarding the operation of the Tennessee Auctioneer Commission.

The Office of Audit, Consulting, and Oversight for the Department of Commerce and Insurance researched the matters and completed a Special Report dated May 7, 2001. The report was presented with the findings to the Commission Members at the May 7, 2001 meeting.

The report stated that the TAC was operating properly in its appointed role.

The Tennessee Auctioneer Commission Office is dedicated to providing continued quality service to the public and licensees.

Chairman's Report

by Charles Woodard, TAC Chairman

The auction business appears to be enjoying one of its most active summers in several years. The number of public auctions being held nationwide is up by 10% over 2000. It appears that investors are ready to cash in some of the personal property and real estate holdings for future investment.

The Tennessee Auctioneer Commission distributed a copy of the New Rules that went into effect on May 15, 2001. The TAC asks all licensees to review the rules and implement them into your auction operations. The rules are designed to make it easier to comply with the requirements of the auctioneer law.

The TAC is always reviewing complaints about advertising violations. The new rules make it clear that all forms of advertising designed to give notice of an auction must include the name and license number of the auction firm or gallery responsible for holding the sale. This means the information needs to be included in your flyers or brochures, newspaper advertising, signs, radio or TV spots, and information on your website. Any other advertising that you might generate to give notice of the sale will be required to contain the firm or gallery name and license number.

The TAC is having a problem with sponsors not properly supervising apprentices. An auctioneer agreeing to sponsor an apprentice must assume the responsibility of providing supervision and training as well as providing a platform for the apprentice to gain valuable auction experience. The apprentice is required to maintain a log to demonstrate the experience gained during the apprenticeship period. The sponsoring auctioneer should encourage the apprentice to keep the information current and sign off on the experience logged by the apprentice. All official correspondence sent to the apprentice by the TAC goes to the sponsor's mailing address. Apprentices complain that they never receive this newsletter. We encourage sponsors to distribute the newsletter to their apprentices.

The TAC also wants to remind auctioneers that have signed on a firm license as the "Principal Auctioneer", that they are responsible for making sure the firm complies with the auction laws, rules, and regulations. Principal Auctioneers are required to maintain an Escrow or Trust Account on behalf of the firm and issue closing statements. The Principal Auctioneer is also charged with making sure the contract with the seller is in order and that the provisions of the contract are carried out by the firm. The Principal Auctioneer

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CITATIONS ISSUED

NAME	VIOLATION	AMOUNT
Hendersonville Auction	Unlicensed auction activity	\$1,000.00
Ken Christian	Auctioneering without a firm affiliation	\$1,000.00
James Criston	Conducting auctions with expired firm license	\$ 300.00
Paul Idell	Engaging in the auction business without a license	\$ 500.00
Keith Miller	Operating an auction without a firm license	\$ 300.00
Tony Morgan	Calling bids without an auctioneer's license	\$ 300.00
Rufus Kersey Jr	Calling bids without an auctioneer's license	\$ 300.00
Luke Troxel	Operating an auction without a firm license	\$ 300.00
Tom Burke	Conducting auction business without a license	\$2,500.00
David Easter	Conducting auction/invalid firm license	\$ 500.00
Changas Bro. Auction	Auction activity/invalid firm license	\$1,000.00
Steve Oliveria	Conducting auction without proper license	\$2,500.00
Jeffery Luggen	Allowing an unlicensed person to call bids	\$ 500.00
Mike Hilton	Calling bids without a TN auctioneer's license	\$ 500.00
	Total	\$ 11,500.00

COMPLAINTS

The following cases have been dismissed and closed:

COMPLAINT NUMBER	RESPONDENT	ACTION TAKEN
200004684	Watson Anderson, Jr	Formal Hearing (License revoked)
200004393	William E. Howe III	Improper execution of contracts (Letter of Instruction)
200005432	John Dixon & Assoc.	Unlicensed auction activity (Letter of Instruction)
200004355	D & L Auction Co.	Gallery conducted auctions prior to becoming licensed (Civil penalty of \$100.00 assessed)
200004645	Barnes Auction Co.	Firm sponsoring auctions conducted by apprentice without apprentice sponsor being present (Civil penalty of \$500.00 assessed)
200006286	Nevurnel Potts	Unlicensed activity (Letter of Instruction to each) Ron Anderson, Doris King, Tammy Wright

Chairman's Report (Continued front page 1)

should also be available to settle any disputes with bidders.

I would like to take this opportunity to thank our staff for their hard work at the TAC office. Our staff provides courteous and prompt service to licensees and prospective licensees. Thank you for all of the work you do on behalf of the auctioneers of this state!

ABSOLUTE AND RESERVE AUCTIONS

The new Rules implemented by the Tennessee Auctioneer Commission on May 15, 2001 deal with the definition of Absolute Auctions and Reserve Auctions. An Absolute Auction, Auction Without Reserve, or Unreserved Auction is defined as "an auction at which property put up for sale is sold to the highest bidder, where the seller may not withdraw the property from the auction after the auctioneer calls for bids unless no bid is made in a reasonable time, where the seller may not bid himself or through an agent, and where the seller will deliver marketable title."

An auction advertised under the heading At Auction, Public Auction, Reserve Auction or Auction With Reserve, is defined as "an auction at which the seller or his agent reserves the right to establish a minimum bid, to accept or reject any and all bids, and to withdraw the property at any time prior to the completion of the sale by the auctioneer."

Auctioneers need to make it clear in their contracts as to the type of auction being conducted on behalf of the seller. Auctioneers also need to post the proper advertising headings displaying type of auction is being marketed to the public.

Advertising for a sale at which some items will be auctioned with reserve and some items will be auctioned without reserve shall clearly and conspicuously indicate this fact to the public. In written advertisements for such a sale, the font size, style and case of the type used in publicizing the part of the sale that is to be held "without reserve" shall not differ from the font size, style and case used to publicize the part of the sale to be held "with reserve." The following is an example of an acceptable ad layout.

ABSOLUTE AUCTION
Include all information about date, time, place and items to be sold at absolute auction.
RESERVE AUCTION
Include all information about date,
AUCTION LOGO

POLICY**Apprentice Auctioneers Conducting Real Estate Auctions:**

Pursuant to Tennessee Code Annotated, 62-19-102(a)(2), which states that it is unlawful for any person to conduct, or offer to conduct, an auction of real property unless such person is duly licensed as an auctioneer, and as a broker or affiliate broker under the provisions of the Tennessee Real Estate Broker License Act of 1973, apprentice auctioneers shall not conduct real estate auctions. This shall not be construed to require ringpersons or other persons not vocally conducting an auction to be duly licensed as auctioneers, nor to be duly licensed under Tennessee Code Annotated, chapter 13 unless such ringpersons or other persons act as an affiliate broker or broker within the meaning of chapter 13.

INCORRECT ADDRESSES

The following licensees have had their mail returned to us for incorrect or insufficient address information. Corrected information should be forwarded to TAC with the appropriate fees.

ATTN. MIKE COUCH
M AND J SALES AND AUC
522 N. CUMBERLAND ST
MORRISTOWN TN. 37814

ATTN MERV E HILPIRE AUC
CO INC.
MERV E HILPIRE
922 RAINBOW DRIVE
CEDAR FALLS IA 50613

ATTN BOBBY G MARTIN
HWY 28 AUCTION
165 DOGWOOD LANE
WHITWELL TN 37377

DANNY W HOLT
764 GRAY ROAD
HOHENWALD TN 38462

ATTN THE ANTIQUE MARKET
PLACE
MICHAEL W HOUSE
208 ELM ST
SHELBYVILLE TN 37160

ATTN VOLUNTEER RLTY &
AUC CO.
MILLARD D HUNT
200 SOUTH BOONE
JOHNSON CITY TN 37604

JEFF J JENKINS
1480 LEATHERWOOD
PULASKI TN 38478

ATTN CUMBERLAND MT GEN
STORE
RONALD D JONES
ROUTE 9 BOX 358
LAKE CITY FL 32024

ATTN WISER FARM AUC CO.
C. DARRELL KEMP
P O BOX 438
116 JAMESTOWN STREET
COLUMBIA LY 42728

ATTN D & D AUCTION
RODNEY KIBLER
6302 E BUFFALO AVE
TAMPA FL 33619

ATTN SMYRNA AUCTION CO
LILLIAN R KING
848 NORWALK DR.
NASHVILLE TN 37214

ATTN L & S LINE MFG
STEVE A LADY
P O BOX 640
BLUFF CITY TN 37618

ATTN LATHAM RLTY & AUC
LARRY W LATHAM
6991 E CAMELBACK ROAD
STE A300
SCOTTSDALE AZ. 85251

ATTN JOHNSON & JOHNSON
RL EST
EARL LAWSON
HWY 66 206 B PROF BLDG
ROGERSVILLE TN 37857

ATTN OLIVEIRA AUCTION
DANIEL LEE MASON
MARYVILLE TN 37803

ATTN AUCTION WORLD
RANDALL B MCMANIS
5905 OREBANK ROAD
KINGSPORT TN 37664

ATTN MAC & MAC REAL EST
& AUC
PATRICIA E MCATEE
5584 NOLENSVILLE PIKE
NASHVILLE TN 37211

ATTN J D KENNEDY
RLTY&AUC
JAN E MCCABE
179 J NORTH LOWRY
SMYRNA TN 37167

ATTN J S AUCTION COMPANY
CARL D MCNUTT
876 E TRI COUNTY BLVD
OLIVER SPRINGS TN 37840

ATTN PROSPECT AUC CO
CHRISTOPHER D MCNATT
1617 CASE ROAD
PROSPECT TN 38477

WILLIAM HARRIS MORRIS
422 N CHURCH AVENUE
DYERSBURG TN 38025

ATTN REGIONAL I AUC &
RLTRS
FREDERICK T MUDD
101 E FLAGET
BARDSTOWN KY 4004

ATTN MURRAY S AUC SERV
WILLIAM E MURRAY
8301 D DAYTON PIKE
SODDY DAISY TN 37379

ATTN CARTERS VALLEY RLTY
& AUC
E JOAN NEWTON
704 E MAIN BLVD
CHURCH HILL TN 37642

ATTN PATTERSON PROP &
AUC
JOHN D PATTERSON
AUCTIONS INC.
3511 FLORENCE BLVD
FLORENCE AL 35630

PHILLIP E PINION
2021 LONGVIEW ROAD
UNION CITY TN 38261

ATTN RANDY PULLIAM
AUC&RLTY
RANDALL L PULLIAM
776 COUNTY ROAD 188
DECATUR TN 37322

HENRY A REDDING
19 HYDER CIRCLE
CROSSVILLE TN 38558

FENTON N RICE
310 COX PIKE S W
FAIRVIEW TN 37062

ATTN W N ROSS AUC CO
WILLIAM H ROSS
721 E MAIN ST
UNION CITY TN 38261

ATTN JOHN SANDERS AUC CO
JOHN W SANDERS
9601 LEE HWY
OOLTEWAH TN 37363

CHARLES W SHELTON SR
P O BOX 1006
MAYFIELD KY 42066-1006

JEFFERY W SMITH
96 COLLINS PLACE
DANVILLE AL 35619

ATTN E JOSEPH STRZESAK
E JOSEPH STRZESAK
300 CHERRY HILL DR
CALHOUN GA. 30701

JOHN STYKE
1112 TIMBERS EAST
GREENVILLE TN 37743

ATTN TOWN & COUNTRY AUC
ANTHONY A TATE
317 SHELBY ST, SUITE 306
KINGSPORT TN 37660

ATTN GRANGER THAGARD &
ASSOC INC
GEORGE W THAGARD
3410 INDEPENDENCE DR
210
BIRMINGHAM AL 35209

ATTN TREASURE CHEST AUC
DANNY LYNN WAMPLER
112 OLD A J HWY
JEFFERSON CITY TN 37760

ATTN WASKOW AUC CO
RICHARD D WASKOW
BOX 2123
MICHIGAN CITY IN 46360

ATTN D&D AUCTION
LARRY W WELCH
6302 DR M L K BLVD
TAMPA FL 33619

(Continued from last column)

ATTN PATRIOT REAL
ESTATE & AUC
STAN ALAN WILSON
16204 HIGHLAND DR
MCKENZIE TN 38201

ATTN WILKINS AUC SERVICE
MICHAEL E WILKINS
62 CAVE HOUSE ROAD
JACKSON TN 38305

STONES AUCTION
201 N MAIN ST
SWEETWATER TN 37874

CHANCES AUCTION
1818 RAY S GAP ROAD
SEVIERVILLE TN 37876

ATTN THE AUCTION CO LTD
THE AUCTION CO LTD
3544 NEAL DR
KNOXVILLE TN 37918

SCOTTS HILL STOCKYARD
INC
BOX 43
SCOTTS HILL TN 38374

MURRAY FARMS SALE OF
CHAMPS
P O BOX 2425
LEWISBURG TN 37091

S & H AUCTION
854 FAIRVIEW ROAD
WINCHESTER TN 37398

CENTURY 21 THOMPSON
424 E MAIN STREET
GALLATIN TN 37066

MID SOUTH REAL ESTATE
CO INC
23 SOUTH BROAD ST
LEXINGTON TN 38351

THE AUCTION MARKET
PLACE
208 ELM ST
SHELBYVILLE TN 37160

BRANCO INC AUCTIONEERS
5053 ST AUGUSTINE ROAD
JACKSONVILLE FL 32207

ATTN AIRPORT AUCTION
BRADLEY ASHTON SAVAGE
P O BOX 420
ARTHUR TN 37707

ALPHA / OMEGA GALLERIES
11060 ALPHARETTA HWY
SUITE 168
ROSWELL GA 30076

KIRK D SCHEIRMAN
11060 ALPHARETTA HWY
SUITE 168
ROSWELL GA 30076

ATTN ROBERT L ALEXANDER
MAC&MAC R E & AUC CO OF
5584 NOLENSVILLE RD
NASHVILLE TN 37211

ATTN BARRY K ARNOLD
BARRY L ARNOLD
90 SOUTH COURT SQUARE
CLEVELAND TN 37320

ATTN ARMSTRONG S AUC
ROGER CLAY ARMSTRONG
1451 JOHN MARSHALL HWY
FRONT ROYAL VA 22630

ATTN BARNES AUCTION CO
JOHNNY C BARNES
PINEY CREEK RD
RT 2 BOX 376
HOHENWALD TN 38462

ATTN AT AUCTION SERVICE
WILLIAM SPENCER BLEVINS
118 PAR HAN ST
HAMPTON TN 37658

ATTN MICHAEL L BOOTH
MICHAEL L BOOTH
RT 1 BOX 1095
BONIFAY FL 32425

ATTN THE AUCTION CO LTD
SCOTT M BORUFF
3544 NEAL DR
KNOXVILLE TN 37918

JEFFERY L HOWARD
2652 SOLON DR
NASHVILLE TN 37206

ATTN BUCKNER R E INC
ELDON E BUCKNER JR
126 MUNFORD
CLARKSVILLE TN 37040

ATTN CHATTANOOGA
AUCTION HOUSE
THOMAS S CARAHAN
1265 MARKET STREET
CHATTANOOGA TN 37408

LOWELL S CARTER
ROUTE 1 BOX 692
MOSHEIM TN 37818

ATTN THE ANTIQUE
MARKETPLACE
CARTER L CLAY
208 ELM STREET
SHELBYVILLE TN 37160

ATTN JERRY CLIFTON RLTY
& AUCTION
JERRY E CLIFTON
262 PULASKI ST, STE 203
LAWRENCEBURG TN 38464

ATTN TURNBULL AUC CO
GARY COFFELT
9636 HWY 46
BON AQUA TN 37025

LLOYD COPELAND
24 N MAIN ST
SPARTA TN 38583

RONN D CUNNINGHAM
P O BOX 2877
COLLEGE STATION TX
77841

ATTN N O POTTS AUCTION
CHARLES R DAY
ROUTE 1
PRIMM SPRINGS TN 38476

S GLENN O DELL
RT 2
CORYTON TN 37721

ATTN REAL ESTATE
CONCEPT
MICHAEL L DUNCAN
760 HWY 321 NORTH
LENOIR CITY TN 37771

ATTN JT EARLYWINE & ASSO
BRENT A EARLYWINE
P O BOX 190
CICERO TN 46706

ATTN J S AUCTION CO
ROSCOE F ENGLAND JR
876 E TRI COUNTY BLVD
OLIVER SPRINGS TN 37840

ATTN FABIAN ENTERPRISES
INC
STEPHEN G FABIAN JR
1603 S E 19 206
EDMOND OK 73013

ATTN HERITAGE RLTY &
AUC CO INC
DAVID D FARMER
6877 GAADSEN HWY
BIRMINGHAM AL 35173

RICK D FISHER
1670 NEW NATCHITOCHES
WEST MONROE LA 71292

ATTN PREFERRED PROP
JOHNATHAN K FLEENOR
1212 HAMMOND AVE
MT CARMEL TN 37645

ATTN PREFERRED PROP
LLOYD F FLEENOR
1212 HAMMOND AVE
MT CARMEL TN 37645

ATTN FOLEY S AUCTION
ROBERT A FOLEY
ROUTE 6 BOX 524
BOONE NC 28607

ATTN FORKE AUC INC
TED J FORKE
P O BOX 21980
LINCOLN NE. 68542-1980

ATTN GAINES AUCTIONEERS
STEVE E GAINES
791 MCMURRY BLVD
HARTSVILLE TN 37074

ATTN WHITCO R E & AUC
BRYAN SCOTT GILBERT
5918 WATERLEVEL S E
CLEVELAND TN 27323

G S GORDON
401 FAIRLAND DR
SHELBYVILLE TN 37160

Incorrect Addresses
(Continued from Page 3)

ATTN CHINA ARTS & PRODUCTS INC
CHARLES E GREGG
5950 CORPORATE DR
HOUSTON TX 77036

ATTN GREER RLTY & AUCT SALES
FRED A GREER
101 E 15TH
COLUMBIA TN 38401

ATTN MERLIN GENE GRIGSBY
MERLIN GENE GRIGSBY
2903 MIDLAND FOSTERVILLE RD
BELL BUCKLE TN 37020

CHARLES ALVIN HALL
625 FROSTY MORN DRIVE
CLARKSVILLE TN 37043-3594

ATTN WILLIAM HARBIN AUC.CO
WILLIAM HARBIN
380 COTHAM DRIVE
HUNTINGDON TN 38344

ATTN THE AUCTION CO LTD
CHRISTOPHER L HEADRICK
3544 NEAL DR
KNOXVILLE TN 37918

**TAC BOARD MEMBERS
FACTS AND INFO****Middle Tennessee**

Term: 09/01/98 - 08/31/01
Charles Woodard, Chairman
Charles Woodard & Associates
P.O. Box 713
Dickson, TN 37055
Business: (615) 446-4508
Fax: (615) 446-0504
E-Mail: Woodardc@mtrmls.com

At-Large

Term: 10/14/98 - 08/31/02
Jana Wilson, Secretary
Home Town Realty and Auction Co
116 West Main Street
McMinnville, TN 37110
Business: (931) 473-8337
Fax: (931) 473-7669

East Tennessee

Term: 11/30/00 - 08/31/03
Howard Phillips, Board Member
6729 Pleasant Ridge Road
Knoxville, TN 37921
Business: (865) 938-3403
Fax: (865) 947-5668
E-Mail: HowardPhillipsTN@aol.com

West Tennessee

Term: 05/24/00 - 08/31/01
James Whirley, Board Member
149 Court Ave. West
Selmer, TN 38375
Phone: (901) 646-1212
Fax: (901) 645-5281

Consumer Member

Term: 09/01/98 - 08/31/01
James W. Brock, Consumer Member
141 Hickory Court
McMinnville, TN 37110
Phone: (931) 815-8669
E-Mail: JWBROCK1@BLOMAND.NET

**TAC STAFF
INFO**

Lynn McGill
Administrative Director
lmcgill@mail.state.tn.us

Kathy McBroom
Administrative Assistant
kmcbbroom@mail.state.tn.us

Sandra Cooper
License Technician

Dennis Hodges
Investigator
dhodges@mail.state.tn.us
(615)741-3600
(931)572-1648 (Home)
(615)741-1245 (Fax)
1-888-548-9726 (Beeper)

IMPORTANT NOTICE

Rulemaking Hearing
July 30, 2001 at 9:00 a.m.
State of Tennessee
Dept. of Commerce & Insurance
Tennessee Auctioneer Commission
500 James Robertson Parkway
Room 160, Davy Crockett Tower
Nashville, TN 37243-1152
615-741-3236



TENNESSEE DEPARTMENT OF COMMERCE AND
INSURANCE AUTHORIZATION No. 335170, Revised 5/96.
This public document was promulgated for 13,200 copies
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"The Tennessee Department of Commerce and Insurance is
committed to principals of equal opportunity, equal access,
and affirmative action." Contact the EEO Coordinator or ADA
Coordinator (615) 741-2177 (TDD).

TAC "NEWSLINE"

c/o Terry Evans
1009 Cedar Drive
Lobelville, TN 37097